Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

# ENVIRONMENTAL ASSESSMENT
**For Routine Actions with Limited Environmental Impact**

## Part I. Proposed Action Description

1. Applicant/Contact name and address:

   Charles M. Deschamps
   9520 Butler Creek Rd.
   Missoula, MT 59808

2. Type of action: Application for Beneficial Water Use Permit No. 76M-30134802

3. Water source name: Groundwater

4. Location affected by project: SWNESE of Section 4, T13N, R20W, Missoula County

5. Narrative summary of the proposed project, purpose, action to be taken, and benefits: Applicant proposes to divert water at a maximum of 420 gallons per minute (GPM) up to a diverted volume of 49.72 acre-feet (AF) from April 15 to September 30 for the purpose of irrigation. The proposed diversion is a 117-foot deep groundwater well fitted with a 15 hp centrifugal pump, located in the SWNESE of Section 4, T13N, R20W, Missoula County. The point of diversion and place of use are located in the Middle Clark Fork River Basin (76M) which is an area that is not subject to any water right basin closures or controlled groundwater restrictions. Water diverted from the well will be applied to the field using a center pivot irrigation system and the place of use for irrigation consists of 67 acres. The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311 MCA are met.

6. Agencies consulted during preparation of the Environmental Assessment:

| | |
|---|---|
| Montana Natural Heritage Program | Species of Concern |
| Montana Department of Fish, Wildlife and Parks | 2005 Dewatered Stream List |
| Montana Department of Environmental Quality | 303(d) list of impaired streams |

## Part II. Environmental Review

**1. Environmental Impact Checklist:**

## PHYSICAL ENVIRONMENT

**WATER QUANTITY, QUALITY AND DISTRIBUTION**

***Water quantity*** *- Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.*

The 2005 Montana Department of Fish, Wildlife & Parks Dewatering Concern Areas list does not identify Lower Clark Fork River as chronically or periodically dewatered. The proposed appropriation will result in 49.72 AF of total depletions to the Clark Fork River. The depletion occurs evenly throughout the year at a rate of 30.8 GPM. As a condition of issuance of the permit, the Applicant is required to offset the 49.72 acre-feet of depletion to the river, which will be accomplished by contracting for mitigation water made available from the Grass Valley French Ditch Irrigation company, which has a mitigation bank available to offset depletions in the Clark Fork River from groundwater pumping.

*Determination*: No significant impact.

***Water quality*** *- Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.*

The proposed appropriation is for groundwater. Water diverted from a groundwater well and applied to crops consisting of alfalfa and/or pasture grass. No source of pollution was identified, and the application of irrigation water is controlled to prevent surface water runoff from the fields. DEQ's 2016 303(d) list does not include Lower Clark Fork River above its confluence with Flathead River; however, the 2016 Impaired Waters list does indicate that the Clark Fork River, from Rattlesnake Creek to Fish Creek, does not fully support aquatic life or primary contact recreation due to mine tailings, mill tailings, and municipal point source discharge. The use of groundwater for irrigation will not further contribute to identified sources of impairment in the Clark Fork River.

*Determination:* No significant impact.

***Groundwater*** *- Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.*

The proposed means of diversion is a groundwater well that is fitted with a backflow preventer that will not allow surface contaminants to enter the groundwater aquifer through the well casing. The diversion of groundwater will not affect groundwater quantity or supply. The groundwater aquifer was modeled by the Department and within the zone of influence from well pumping the amount of water found available is 2,332.39 acre-feet. Of this amount, the Applicant is requesting an appropriation of 49.72 acre-feet. Impacts to neighboring wells was also identified and no well within the zone of influence from pumping the well will experience drawdown greater than 1 foot. Water diverted from the aquifer and used for irrigation does result in a depletion to the Clark Fork River of 30.8 gpm up to 49.72 acre-feet. This depletion will be replaced through the purchase of mitigation water resulting in no change to the volume of water flowing in the Clark Fork River through the effected reach.

*Determination*: No significant impact.

**DIVERSION WORKS** - *Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.*

The applicant proposes to divert water from a 117-foot deep well. The well and place of use for irrigation are not located near any streams or riparian areas that could be impacted. The effects (depletion) to surface water will be mitigated (replaced) resulting in no streamflow reductions that could result in channel impacts, flow modifications or barriers to fish migration in surface water sources. Well construction will not be impacted. The effects to the local groundwater aquifer were modeled and drawdown is limited to less than 1 foot, resulting in no impact to existing groundwater wells or future well construction in the project vicinity.

*Determination*: No impact.

**UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES**

***Endangered and threatened species*** - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."*

The Montana Natural Heritage Program (MNHP) was utilized to determine if there are any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern", that could be impacted by the proposed project. The MNHP identified the following species of concern: Bull Trout, Westslope Cutthroat Trout, Fringed Myotis, Western Skink, Bobolink, Hoary Bat, Evening Grosbeak, Pileated Woodpecker, Flammulated Owl, Varied Thrush, Cassin's Finch, Great Blue Heron, Stygobromus tritus, and has identified the area as a bat roost for non-cave dwelling bats. In addition, the following plant species of concern have been identified: Collomia debillis var. camporum (Alpine Collomia) and Mimulus ampliatus (Stalk-leaved Monkeyflower).

The location of the proposed groundwater well and place of use for irrigation is in an area that supports agricultural and residential development. Any impacts to the above-listed species have likely already occurred as a result of prior land conversions. The place of use for irrigation has been in agricultural production since the 1870's, and it is unlikely that any additional impacts will occur as a result of the proposed use of groundwater for irrigation.

*Determination*: No significant impact.

***Wetlands*** - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

The proposed project does not create or impact any wetlands.

*Determination*: No impact.

***Ponds*** *- For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

The proposed groundwater well use for irrigation will not create nor eliminate any ponds.

*Determination*: No impact.

**GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE** - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

This irrigation system was constructed in the mid 1990's and has been in continual use since then. Granting this water right permit will not result in any new construction activities or soil disturbance. The controlled application of irrigation water will not cause degradation of soil quality or alter soil stability. The soils comprising the place of use for irrigation are not heavy in salts that could cause saline seep.

*Determination*: No impact.

**VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS** - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

The site where the proposed well and irrigation are located is within an area of mixed residential development and agricultural fields. The vegetative cover is altered from native grasslands to irrigated alfalfa and pasture grass, however this alteration occurred in the 1870's when the original homesteaders began agricultural production at the site. The proposed use of groundwater for irrigation will not result in the spread of noxious weeds. It is the responsibility of the landowner to maintain weed control at the place of use for this water right.

*Determination*: No impact

**AIR QUALITY** - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Deterioration of air quality and/or adverse effects on vegetation due to increased air pollutants is not expected. The pump used to extract water from the groundwater aquifer is electric powered and will not create an impact to air quality standards in the Missoula Valley.

*Determination*: No significant impact.

**HISTORICAL AND ARCHEOLOGICAL SITES** - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

N/A – project not located on State or Federal Lands.

*Determination*: No impact.

**DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY -** *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

All impacts to land, water, and energy have been identified and no additional impacts are anticipated.

*Determination*: No impact.

## HUMAN ENVIRONMENT

**LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS** - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

The Department finds no locally adopted environmental plans or goals relevant to the requested water use proposal for multiple domestic.

*Determination*: No impact.

**ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES** - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

The proposed project will not inhibit, alter or impair access to the present recreational opportunities in the area. The project is not expected to create any significant pollution, noise, or traffic congestion in the area that may alter the quality of recreational opportunities.

*Determination*: No impact.

**HUMAN HEALTH** - *Assess whether the proposed project impacts on human health.*

No impacts to human health were identified.

*Determination*: No impact

**PRIVATE PROPERTY** - *Assess whether there are any government regulatory impacts on private property rights.*
*Yes___ No_**X**_ If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

*Determination*: No impact.

**OTHER HUMAN ENVIRONMENTAL ISSUES** - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

*Impacts on:*

(*a*) *Cultural uniqueness and diversity?* None identified

(*b*) *Local and state tax base and tax revenues?* The proposed agricultural use will not change existing local and state based tax revenues on the parcel.

(*c*) *Existing land uses?* None identified

(*d*) *Quantity and distribution of employment?* None identified

(*e*) *Distribution and density of population and housing?* None identified

(*f*) *Demands for government services?* None identified

(*g*) *Industrial and commercial activity?* None identified

(*h*) *Utilities?* None identified

(*i*) *Transportation?* None identified

(*j*) *Safety?* None identified

(*k*) *Other appropriate social and economic circumstances?* None identified

**2.** ***Secondary and cumulative impacts on the physical environment and human population:***

Secondary Impacts: None identified

Cumulative Impacts: None identified

**3.** ***Describe any mitigation/stipulation measures:***

No reasonable alternatives were identified in the EA.

**4.** ***Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:***

No alternative identified.

## *PART III. Conclusion*

***1. Preferred Alternative***: N/A

***2 Comments and Responses***: N/A

**3. *Finding:***
*Yes___ No_**X**_ Based on the significance criteria evaluated in this EA, is an EIS required?*

*If an EIS is not required, explain <u>why</u> the EA is the appropriate level of analysis for this proposed action.*

An EA is the appropriate level of analysis for this proposed action because no significant impacts have been identified as a result of the proposed action.

*Name of person(s) responsible for preparation of EA:*

*Name:* Jim Nave
*Title:* Regional Manager
*Date*: April 22, 2021